

## ELIZABETH A. BARBOUR.

MAY 7, 1884.—Committed to the Committee of the Whole House and ordered to be printed.

Mr. LOVERING, from the Committee on Invalid Pensions, submitted the following

### REPORT:

[To accompany bill S. 689.]

*The Committee on Invalid Pensions, to whom was referred the bill (S. 689) granting a pension to Elizabeth A. Barbour, have examined the same, and respectfully report:*

This bill was introduced in the Senate of the United States at its present session, and was referred to the Committee on Pensions, from which the following favorable report was made by the Hon. Mr. Blair, and which, after an examination of all the facts, this committee adopt as its own, viz:

The claimant, Elizabeth A. Barbour, is the widow of James E. Barbour, late hospital steward of the Twenty-first Regiment of Connecticut Volunteers. He enlisted August 8, 1862; was discharged May 6, 1863, and died December 7, 1879. The soldier never filed any application for a pension, but the widow filed one in her own name May 14, 1881, which was rejected by the Pension Office on the ground that the cause of soldier's death was not due to nor connected with the service.

It appears of record that Barbour was sent to the general hospital in Washington, February 8, 1863, with typhoid fever; was furloughed March 20, 1863; returned April 29, 1863, and was discharged a week later "by reason of promotion to assistant surgeon United States Navy." It also appears of record that he served as such assistant surgeon from May 31, 1863, to March 12, 1864. This is the extent of the record evidence.

Dr. William Soule, formerly surgeon of Barbour's regiment, testifies as follows:

"I was acquainted with James E. Barbour, hospital steward. He was an active and faithful steward, and so competent in dispensing and prescribing medicines that when my first assistant was disabled and short of help I was compelled to put upon Barbour many additional duties, until he became exhausted and contracted a severe fever, which brought him very low and necessitated his removal to hospital near Aquia Creek. He contracted this fever in the month of January, 1863, and when I left the service, February 24, he had not recovered. I saw him after he was able to come to Connecticut on sick leave, about the last of March, 1863, I think, and was convinced that his physical constitution had suffered more than is ordinary from fever, so much so that there was just cause to fear he would never recover his former state of health."

The claimant alleges soldier contracted fever near Fredericksburg, Va., and was sent to hospital near Aquia Creek in December, 1862. This is corroborated by two comrades, who say:

"He was taken sick about December, 1862, with fever, the result of overexertion, and was entirely disabled from duty."

As to his condition after leaving the service, the affidavit of Mrs. Sarah M. Fitch states:

"Dr. James E. Barbour, upon his return from the service of the United States in 1864, I think in the early summer, came immediately to my house and remained there until January, 1865. He then went to Norwalk, 6 miles distant, where I saw him fre-

quently until shortly before his death. When he came to my house he was very feeble and unable to exert himself. He was entirely unable to perform any manual labor. He then and always claimed he was very sick while in the service, came near dying, and that his weakness was the result of that sickness. I do not now remember just what disease he had, but he was generally debilitated and obliged to exercise the greatest caution in respect to exerting himself. He always attended my family from that time until his death. In March, 1865, I sent for him to attend my daughter, who was very ill, and he at that time remained at my house a week because he was not able to go to Norwalk and return. He appeared to me to be troubled in the same way during all the time from his return to his death, and he had no other acute disease that I know of but a wearing out of the system."

This is corroborated by another witness, at whose house he was a frequent visitor, who also states:

"Immediately after his return he was very feeble, utterly unable to perform any manual labor at all, and continued to be weak and feeble till his death. His system was broken down."

Dr. William A. Lockwood, of Norwalk, knew Barbour and treated him. He states he first discovered organic disease of heart in 1867; that he also suffered from rheumatism, and his constitution seemed to be impaired and weakened; that he suffered from extreme debility, with periodical prostration. Dr. Lynes, who treated him before that, is dead.

The soldier died in Italy, and the Italian physician states his heart was a long time affected; that death was the consequence of a serious ulceration of the liver; that commencement of softening of the brain hastened the end, and that he died from general consumption and infection.

Upon this showing the Pension Bureau rejected the claim on the ground that there was no reasonable pathological connection between the fever in the service and any of the diseases of which he died. The Commissioner of Pensions, however, in a letter, under date of December 14, 1883, which has been filed with this committee, states as follows:

"Inasmuch as his physical energies were impaired by the service, and his ability to accumulate property for the care of his family were decreased thereby, it may be that the equities of the case are such as to commend the case of the widow to the favorable consideration of Congress."

The affidavit of A. H. Byington, clerk of the Senate Committee on Patents, who was a neighbor of the soldier, has been filed, in which he states that he knew him as a young man of robust health before entering the service; saw him many times at the front in the Army of the Potomac, at which time Barbour attributed his severe illness to overwork and exposure; and that he saw him frequently after his return home, after which time he was constantly under medical care. He states that from his own medical knowledge and intimate acquaintance with Barbour, and from the statements frequently made to him by Dr. Lynes, that he can positively affirm that he was a perfectly sound man on entering the service, and that he never saw a well day subsequent to his discharge.

Your committee are of the opinion that it has been fairly established that this claimant's husband entered the service of the United States a sound and healthy young man, and that he left it in a debilitated and broken-down condition, as a result of such service; that this gradually grew worse until he died in a foreign country, where he had been sent by the charity of friends in hope of relief. They are not, therefore, disposed to insist upon a technical pathological connection being proved between the disease of record in the service and the several immediate causes of death. Letters and statements of credible persons going to show that this is a meritorious claim, and is so considered by the community in which the soldier resided, are before the committee; and in view of all the facts it is recommended that the bill do pass.